

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

ANTWON LESHAUN DISMUKE,)	
)	
Plaintiff,)	
)	
v.)	Case No. 14 C 5803
)	USCA No. 15-1754
STEVE STEMMET, etc., et al.,)	
)	
Defendants.)	

MEMORANDUM ORDER

On April 1, 2015 prisoner plaintiff Antwon Dismuke ("Dismuke") filed his notice of appeal from this Court's dismissal of his Complaint and action in this case. When Dismuke then sought leave to appeal in forma pauperis ("IFP"), the Court of Appeals followed its customary practice of transferring that motion to the Clerk of this District Court for a ruling, and on May 27 this Court issued its memorandum order granting leave to appeal IFP and establishing the procedure pursuant to 28 U.S.C. § 1915 for Dismuke's payment of the \$505 in filing and appellate docketing fees on an installment basis.

Thereafter Dismuke filed a Motion for Appointment of Counsel ("Motion") to represent him on appeal, but although the Motion listed both relevant case numbers -- 14 C 5803 for the disposed-of case in this District Court and 15-1754 for his pending case on appeal -- the Motion was included in the District Court docket [Dkt. No. 23] but not in the Court of Appeals docket. And (1) because the appointment of counsel on appeal is a matter for determination by the Court of Appeals and not by this District Court, (2) because as stated earlier the Motion has not been docketed in the Court of Appeals and (3) because the Court of Appeals has no separate forms dealing with motions for the appointment of counsel, the least cumbersome procedure for

handling the Motion is simply to transmit to the Court of Appeals the attached Judges Copy that has previously been delivered to this Court's chambers.

Accordingly this Court is providing that Judges Copy together with a copy of this memorandum order to the Court of Appeals to enable it to act on the Motion in the regular course. Finally, this District Court's Dkt. No. 23 is denied as moot.



Milton I. Shadur
Senior United States District Judge

Date: June 15, 2015